

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CALVIN TILLEY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:21-CV-483-WKW
)	[WO]
SC MONTGOMERY SENIORS)	
MANAGEMENT, LLC, and)	
TERENCE SCOTT,)	
)	
Defendants.)	

ORDER

Before the court is the parties' joint motion to approve settlement agreement. (Doc. # 23.) The parties move for an Order approving the settlement of the claims of Plaintiff against his former employer, Defendant SC Montgomery Seniors Management, LLC, and its principal, Terence Scott, for violations of the Fair Labor Standards Act of 1938 ("FLSA"), as amended, 29 U.S.C. §§ 201–219. The motion is due to be granted.

In this private action brought for unpaid overtime wages under the FLSA, the court must examine whether the settlement "is a fair and reasonable resolution of a bona fide dispute over FLSA provisions." *Lynn's Food Stores, Inc. v. United States of Am. ex. rel. U.S. Dep't of Labor*, 679 F.2d 1350, 1355 (11th Cir. 1982); *see also Nall v. Mal Motels, Inc.*, 723 F.3d 1304, 1307 (11th Cir. 2013) (extending the

holding of *Lynn's Food* “to settlements between former employees and employers”). To that end, the court has reviewed the settlement agreement and the parties’ motion explaining the basis of the settlement, the amount of recovery, and the litigation’s costs and risks. The court also has considered the representations of experienced counsel that the settlement agreement is the product of arms-length negotiations. After careful consideration, the court finds that the settlement agreement is fair, reasonable, and not collusive, and that it resolves a *bona fide* dispute under the FLSA.

Accordingly, it is ORDERED as follows:

(1) The parties’ joint motion to approve settlement agreement (Doc. # 23) is GRANTED, and the settlement agreement is APPROVED;

(2) Based upon the resolution by the parties, this action is DISMISSED WITH PREJUDICE; and

(3) Jurisdiction is RETAINED for thirty days.

The Clerk of Court is DIRECTED to close this case.

DONE this 1st day of April, 2022.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE